

Application No.: 10/593,897
Attorney Docket No.: 063060
Amendment under 37 CFR §1.111

REMARKS

Claims 1-15 are pending in the present application. Claims 1, 3, 5 and 8 are herein amended. New claims 10-15 have been added.

Allowable Subject Matter

Applicants gratefully acknowledge that claims 5-7 and 9 recite allowable subject matter. These claims were objected to as being dependent from a rejected base claim.

Claim 5 has been amended to recite the limitations of base claim 1. Claim 11 was newly added to recite the limitations of claim 5 and base claim 3. Claims 6-10 and 12-15 depend from either claim 5 or claim 11.

Withdrawal of the objection of claims 5-7 and 9 is requested.

Claim Rejections – 35 U.S.C. § 103

Claims 1-5 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Bojarczuk** (US 2005/0266663). Favorable reconsideration is requested.

Applicants first note that it appears that claim 5 should not have been rejected since the claim was held as reciting allowable subject matter and because in the rejection, there is no allegation that **Bojarczuk** teaches the limitations recited in claim 5.

Applicants respectfully submit that **Bojarczuk** does not teach or suggest:

depositing an amorphous thin film made of an objective substance and a
flux of a substance producing a eutectic with said objective substance

as recited in claims 1 and 3.

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Bojarczuk discloses crystallizing amorphous silicon by depositing an oxide having a crystal arrangement on a single crystal substrate, depositing an amorphous semiconductor layer on said oxide, and heating the amorphous silicon/silicon substrate. Bojarczuk also discloses adding vapor or flux of a surface active agent vapor such as antimony.

By contrast, according to the present invention as recited in the claims, the objective and flux substances produce a eutectic by thermal treatment of a substrate to the second temperature. Contrary to the disclosure in Bojarczuk, it is not the case that the objective substance only crystallizes by thermal treatment. Bojarczuk does not disclose the use of a flux of a substance which can produce a eutectic.

For at least the foregoing reasons, claims 1 and 3 are patentable over the cited reference, and claims 2 and 4 are patentable by virtue of their dependence from claim 1 or 3. Claim 8 has been amended to depend from allowable claim 5. Accordingly, withdrawal of the rejection of claims 1-5 and 8 is hereby solicited.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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